



**Indiana Pro Bono Commission**  
230 East Ohio Street, 4<sup>th</sup> Floor  
Indianapolis, IN 46204

**Indiana Bar Foundation**  
230 East Ohio Street, Suite 110  
Indianapolis, IN 46204

## **COMBINED 2002 DISTRICT REPORT, 2004 PRO BONO GRANT APPLICATION, AND 2004 PLAN**

### **Pro Bono District 9**

**Applicant:** Whitewater Valley District 9 Pro Bono Committee

**Mailing Address:** P.O. Box 2430

**City:** Richmond, IN **Zip:** 47375

**Phone:** (765) 965-9188 **Fax:** (765) 935-3673

**E-mail address:** [courtney.mathews@ilsj.net](mailto:courtney.mathews@ilsj.net) **Web site address:** n/a

**Judicial Appointee:** Hon. James R. Williams

**Plan Administrator:** Courtney Mathews

**Names of Counties served:** Fayette, Franklin, Rush, Union and Wayne counties

**Amount of grant received for 2002:** \$12,000.00

**\* Amount of grant unused from 2002 and previous years:** \$11,429.57

**\* Amount of grant unused but committed to expenses in 2003:** \$14,460.00

**Amount of grant received for 2003:** \$4,320.00

**Amount requested for 2004:** \$23,190.00

- **Please submit request for approval to the Indiana Bar Foundation.**

**The following representations**, made to the best of our knowledge and belief, are being provided to the Indiana Pro Bono Commission and Indiana Bar Foundation in anticipation of their review and evaluation of our funding request and our commitment and value to our Pro Bono District.

**Operation under Rule 6.5**

In submitting this application for funding, this district is representing itself as having a Pro Bono Plan, which is pursuant to Rule 6.5 of the Indiana Rules of Professional Conduct. The plan enables attorneys in our district to discharge their professional responsibilities to provide civil legal pro bono services; improves the overall delivery of civil legal services to persons of limited means by facilitating the integration and coordination of services provided by pro bono organizations and other legal assistance organizations in our district; and ensures access to high quality and timely pro bono civil legal services for persons of limited means by (1) fostering the development of new civil legal pro bono programs where needed and (2) supporting and improving the quality of existing civil legal pro bono programs. The plan also fosters the growth of a public service culture within the our district which values civil legal pro bono publico service and promotes the ongoing development of financial and other resources for civil legal pro bono organizations.

We have adhered to Rule 6.5 (f) by having a district pro bono committee composed of:

- A. the judge designated by the Supreme Court to preside;
- B. to the extent feasible, one or more representatives from each voluntary bar association in the district, one representative from each pro bono and legal assistance provider in the district, and one representative from each law school in the district; and
- C. at least two (2) community-at-large representatives, one of whom shall be a present or past recipient of pro bono publico legal services.

We have determined the governance of our district pro bono committee as well as the terms of service of our members. Replacement and succession members are appointed by the judge designated by the Supreme Court.

Pursuant to Rule 6.5 (g) to ensure an active and effective district pro bono program, we:

- A. prepare in written form, on an annual basis, a district pro bono plan, including any county sub-plans if appropriate, after evaluating the needs of the district and making a determination of presently available pro bono services;
- B. select and employ a plan administrator to provide the necessary coordination and administrative support for the district pro bono committee;
- C. implement the district pro bono plan and monitor its results;
- D. submit an annual report to the Commission; and
- E. forward to the Pro Bono Commission for review and consideration any requests which were presented as formal proposals to be included in the district plan but

were rejected by the district committee, provided the group asks for review by the Pro Bono Commission.

### **Commitment to Pro Bono Program Excellence**

We also understand that ultimately the measure of success for a civil legal services program, whether a staffed or volunteer attorney program, is the outcomes achieved for clients, and the relationship of these outcomes to clients' most critical legal needs. We agree to strive for the following hallmarks which are characteristics enhancing a pro bono program's ability to succeed in providing effective services addressing clients' critical needs.

**1. Participation by the local bar associations.** The associations believe the program is necessary and beneficial.

**2. Centrality of client needs.** The mission of the program is to provide high quality free civil legal services to low-income persons through volunteer attorneys. Client needs drive the program, balanced by the nature and quantity of resources available. The staff and volunteers are respectful of clients and sensitive to their needs.

**3. Program priorities.** The program engages in a priority-setting process, which determines what types of problems the program will address. Resources are allocated to matters of greatest impact on the client and are susceptible to civil legal resolution. The program calls on civil legal services and other programs serving low-income people to assist in this process.

**4. Direct representation component.** The core of the program is direct representation in which volunteer attorneys engage in advocacy on behalf of low-income persons. Adjunct programs such as advice clinics, pro se clinics and paralegal assistance are dictated by client needs and support the core program.

**5. Coordination with state and local civil legal service programs and bar associations.** The programs work cooperatively with the local funded civil legal services programs. The partnerships between the civil legal services programs and the local bar association results in a variety of benefits including sharing of expertise, coordination of services, and creative solutions to problems faced by the client community.

**6. Accountability.** The program has mechanisms for evaluating the quality of service it provides. It expects and obtains reporting from participating attorneys concerning the progress/outcome of referred cases. It has the capability to demonstrate compliance with requirements imposed by its funding source(s), and it has a grievance procedure for the internal resolution of disputes between attorneys and clients.

**7. Continuity.** The program has a form of governance, which ensures the program will survive changes in bar leadership, and has operational guidelines, which enable the program to survive a change in staff.

**8. Cost-effectiveness.** The program maximizes the level of high quality civil legal services it provides in relationship to the total amount of funding received.

**9. Minimization of barriers.** The program addresses in a deliberate manner linguistic, sensory, physical and cultural barriers to clients' ability to receive services from the program. The program does not create undue administrative barriers to client access.

**10. Understanding of ethical considerations.** The program operates in a way which is consistent with the Rules of Professional Conduct; client confidentiality is assured and conflicts of interest are avoided.

**11. ABA Standards.** The program is designed to be as consistent with the ABA Standards for Programs Providing Civil Pro Bono Legal Services to Persons of Limited Means as possible.

No events, shortages or irregularities have occurred and no facts have been discovered which would make the financial statements provided to you materially inaccurate or misleading. To our knowledge there is nothing reflecting unfavorably upon the honesty or integrity of members of our organization. We have accounted for all known or anticipated operating revenue and expense in preparing our funding request.

We agree to provide human-interest stories promoting Pro Bono activities in a timely manner upon request of the Indiana Bar Foundation or Indiana Pro Bono Commission. We further agree to make ourselves available to meet with the Pro Bono Commission and/or the Indiana Bar Foundation to answer any questions or provide any material requested which serves as verification/source documentation for the submitted information.

**Explanation of items stricken from the above Letter of Representation:**

**It is understood that this Letter does not replace the Grant Agreement or other documents required by the Indiana Bar Foundation or Indiana Pro Bono Commission.**

**Signatures:**

\_\_\_\_\_  
**Judicial Appointee Signature**

\_\_\_\_\_  
**Date**

\_\_\_\_\_  
**Plan Administrator Signature**

\_\_\_\_\_  
**Date**

## 2002 REPORT AND 2004 PLAN SUMMARIES

- 1. In 125 words or less, please write a brief summary of your District's 2002 progress suitable for use in press releases.**

The Whitewater Valley District 9 Pro Bono Committee's efforts to gain support from all five county bar associations have proved to be beneficial. In the past year, a CLE seminar was facilitated by District 9. The seminar offered free CLE hours for attorneys volunteering their expertise to assist clients that are eligible for the pro bono program. A total of twenty attorneys attended representing each county in the five county area.

The number of attorneys participating in the District 9 Pro Bono Program have dramatically increased in the past year. Presently there are forty participating attorneys in the program compared to twenty-six in the previous year. This far exceeds our previous year's expected results.

- 2. In 125 words or less, please write a brief summary of the 2004 grant request suitable for use in press releases related to any grant award. Suggested areas to cover are: needs to be addressed, methods, target audience, and anticipated outcomes.**

It is the goal of The Whitewater Valley District 9 Pro Bono Committee to provide intake, screening, and referral of prospective clients to attorneys within our District that are willing to provide legal services at no cost. The target population is indigent individuals that are at or below 125% of the poverty guidelines.

The continued success of the program relies on expanding the volunteer attorney base while also maintaining its existing one. To effectively market the program and coordinate activities a full-time plan administrator is needed. Essential duties of a full-time administrator also include outreach activities, monitoring the needs of the indigent within the District and collaborating with other social service agencies.

## 2002 REPORT

**In the next two pages, describe your District's 2002 achievements and activities in relation to the plan approved for 2002 funding. It is permissible to include a relevant number of appendices to further describe 2002 achievements. Please number and reference the appendices.**

In 2002, the Whitewater Valley District 9 Pro Bono Committee held a CLE seminar in Wayne County. Twenty attorneys attended the event representing each county in the District. Charles Dunlap from the Indiana Bar Foundation presented information on IOLTA funds and David Remondini from Chief Justice Randall Shepard's office spoke with the group of attorneys about the Indiana Pro Bono Commission and the importance of pro bono work in our community. Courtney Mathews, District 9 Plan Administrator, discussed District 9's plan and how the attorneys could sign up to participate. Hon. James Williams, judicial appointee for District 9, presented material on ethics and current landlord tenant law. Free CLE hours were offered to those who attended. Following the seminar, fourteen attorneys that were not active with the Whitewater Valley District Pro Bono Committee signed up to volunteer. It was a great opportunity for the attorneys in District 9 to learn more about pro bono and IOLTA and to get more involved with the District 9 plan.

The number of participating attorneys continues to grow. There are 40 attorneys that have signed up to volunteer in 2002. This number is compared to twenty-six volunteer attorneys in 2001. Forty-two clients were served in 2002 as opposed to twenty-nine in 2001.

<b>2002 REPORT, CONTINUED</b>
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<b><u>2002 VOLUNTEER LAWYER ACTIVITY</u></b>				
<b>Legal Service Provider Agency or Organization (Include Bar Associations)</b>	<b>Number of Participating Volunteer Lawyers</b>	<b>Number of Volunteer Lawyer Hours Reported on Cases Closed in 2002</b>	<b>Number of Open Volunteer Lawyer Cases</b>	<b>Number of Low-income Citizens Receiving Limited Legal Information from Volunteer Lawyers*</b>
<b><u>Wayne County</u></b>	<b><u>29</u></b>	<b><u>8</u></b>	<b><u>34</u></b>	
<b><u>Rush County</u></b>	<b><u>4</u></b>	<b><u>1</u></b>	<b><u>1</u></b>	
<b><u>Union County</u></b>	<b><u>3</u></b>	<b><u>3</u></b>	<b><u>1</u></b>	
<b><u>Fayette County</u></b>	<b><u>2</u></b>	<b><u>1</u></b>	<b><u>0</u></b>	
<b><u>Franklin County</u></b>	<b><u>2</u></b>	<b><u>0</u></b>	<b><u>0</u></b>	

\*This category includes Volunteer Lawyer public outreach to low income citizens for a one-time, limited contact such as call-in or walk-in information services, pro-se clinics and panel presentations. Please put in parentheses the number of citizens whose income was not determined.

Definitions:

Case: A legal matter referred to a pro bono attorney volunteer

Participating Volunteer Lawyer: An attorney who has rendered pro bono service to at least one low-income client during the year or accepted a pro bono referral from the identified program.



## 2002 VOLUNTEER LAWYER ACTIVITY, CONTINUED \*

Please list any volunteer lawyer activity category utilized by the organization receiving Pro Bono funding which was not included in the previous table. Include the definition and 2002 statistics for the category.

NA

In order to make reporting more consistent and concise in the future, please list the various categories used by legal service providers in your district for recording volunteer lawyer activity. Define each category. (If more than one agency or organization has the same category and definition, please list it once, indicating the number of organizations using the category.)

Bankruptcy/Debtor Relief  
Collection/Repossession  
Contracts/Warrantees  
Credit Access  
Energy (Other than Public Utils)  
Loans (Other than Collection)  
Public Utilities  
Unfair Sales Practice  
Other Consumer Finance  
Education  
Job Discrimination  
Wage/OSHA Claims  
Other Employment  
Migrant/Seasonal Workers Protection Act  
Fair Labor Standards Act  
Farm Labor Contracting Regis Act  
Suit regarding pesticide  
Suit re: H-2 or H-2a Workers  
Suit re: Wagner-Peyser Act  
Adoption  
Custody/Visitation  
Divorce/Separation/Annulment  
Guardianship/Conservatorship  
Name Change  
Parental Rights Termination  
Paternity  
Spouse Abuse  
Protective Order - Family  
Support  
Other Family  
Delinquent  
Neglected/Abused/Dependent

Other Juvenile  
Medicaid  
Medicare  
Other Health  
Fed. Subs. Housing Rights  
Homeownership/Real Property  
Mortgage Foreclosure  
Landlord/Tenant-Not Pub. Housing  
Other Public Housing  
Other Housing  
AFDC/Other Welfare  
Township Trustee  
Black Lung  
Food Stamps/Commodities  
Social Security  
SSI  
Unemployment Compensation  
Veterans Benefits  
Workers Compensation  
Other Income Maintenance  
Immigration/Naturalization  
Mental Health  
Prisoner's Rights  
Physically Disabled Rights  
Other Individual Rights  
Protective Order - non-family  
Incorporation/Dissolution  
Indian/Tribal Law  
License (Auto & Other)  
Torts  
Wills/Estates  
Other Miscellaneous  
Community Economic Development

## 2002 VOLUNTEER LAWYER ACTIVITY BY TYPE OF CASE

Number Of Lawyers Participating In Pro Se Clinics, Call-In Services And Other Limited Informational Activities in 2002: \_\_\_\_\_.

Type Of Case (Primary Issue)	Total Of All District Legal Service Pro- vider Active Cases Assigned To And Accepted By A Volunteer Lawyer.
Consumer/Finance	2
Education	
Employment	
Family	41
Guardianship	2
Juvenile	
Health	
Housing	
Immigration/Naturalization	3
Income Maintenance	
Individual Rights	
Mediation	
Wills & Estates	1
Other (specify)	
Total Number of Cases	49

## 2004 PLAN AND REQUEST

**In the following two pages, describe items or activities planned for 2004 for which funding is requested.**

**If a special event, such as a pro se clinic, volunteer banquet, or Continuing Legal Education seminar is planned, please include the total projected cost of the event in parenthesis at the end of the descriptive paragraph.**

The Whitewater Valley District 9 Pro Bono Committee is planning Continuing Legal Education events for 2004. These events will be held in Fayette, Rush and Wayne counties. A volunteer awards banquet will follow the CLE seminars and meals will be included.

(\$1350.00)

<b>2004 PLAN AND REQUEST, CONTINUED</b>
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## 2004 PRO BONO DISTRICT ACTIVITIES

Please check the activities, which your district organization will provide during 2004 to support the pro bono efforts of the attorneys in your district. If the activity is provided by another organization in your district, please put a plus sign (+) in the blank following the activity.

- ☒ Providing intake and screening of prospective clients      ☒
- ☒ Providing referral of prospective clients      ☒
- ☒ Matching cases with individual attorney experience      \_\_\_\_\_
- ☒ Establishing and/or maintaining specialized panels of volunteer lawyers based on area of practice emphasis      \_\_\_\_\_
- ☒ Providing resources for litigation and out-of-pocket expenses      \_\_\_\_\_
- ☒ Providing legal education and training for pro bono attorneys in areas of practice emphasis useful in providing pro bono civil legal service      \_\_\_\_\_
- ☒ Providing the availability of consultation with attorneys whose practice concentration is in an area of law about which a volunteer lawyer is providing pro bono civil legal service (mentoring) \_\_\_\_\_
- ☒ Providing malpractice insurance for volunteer pro bono lawyers      \_\_\_\_\_
- ☒ Establishing and/or maintaining procedures to ensure adequate monitoring and follow-up      \_\_\_\_\_
- ☒ Establishing and/or maintaining procedures to measure client satisfaction      \_\_\_\_\_
- ☒ Recognizing pro bono civil legal service by lawyers      \_\_\_\_\_
- ☒ Providing community outreach, legal education services or programs      ☒
- \_\_\_\_\_ Other \_\_\_\_\_
- \_\_\_\_\_ Other \_\_\_\_\_

## 2004 PRO BONO DISTRICT ACTIVITIES, continued

1. List the joint efforts, activities or programs in which your district organization will be involved. Please include the name of the other organization(s), a brief description of the activity and a description of the resources provided to the effort by all participating organizations.

The Plan Administrator of the Whitewater Valley District 9 Pro Bono Committee is also an employee of Indiana Legal Services, Inc. District 9 utilizes the ILS intake system and screening process and has access to ILS attorneys and support staff. ILS offers free training for private attorneys that participate in the District 9 program.

The Whitewater Valley District 9 Pro Bono Committee office is located at the Genesis of the YWCA facility. Genesis of the YWCA is a domestic violence, sexual assault and homelessness program that serves the District 9 area. District 9 receives referrals from Genesis and utilizes Genesis' victim advocacy and counseling programs for clients receiving services from District 9 that may be in need of Genesis services.

2. Number of cases in your district awaiting assignment to a Volunteer Pro Bono Attorney as of the date this report is prepared: 2
3. Percentage estimate of the types of cases awaiting assignment:  
100 %Consumer (Bankruptcy)
4. List the efforts that will be made to recruit new pro bono volunteer lawyers:  
Offer additional training and Continuing Legal Education for participating attorneys at no cost

## 2004 DISTRICT BUDGET FORM

COST CATEGORY	IOLTA \$	OTHER \$	DONATED	TOTAL	2003 Revised & Estimated
<b>A. Personnel Costs</b>					
1. Plan Administrator	17160			17160	8580
2. Lawyers					
3. Paralegals					
4. Others					
5. Salary Subtotal					
6. Employee Benefits					
7. Total Personnel Costs	17160			17160	8580
<b>B. Non Personnel</b>					
1. Occupancy	4200		450	4200	4350
2. Equipment Rental					
3. Office Supplies					
4. Telephone	1080			1080	1080
5. Travel					
6. Training	250			250	
7. Library					
8. Malpractice Insurance					
9. Dues and Fees					
10. Audit					
11. Contingent Reserve Fund for Operating Expenses					
12. Marketing and Promotion					
13. Litigation (Includes Expert Fees)					
14. Property Acquisition					
15. Purchase Payments					
16. Contract Services to Clients					
17. Contract Services to Program					
18. Other (CLE seminar)	1350			1350	450
19. Total Non Personnel Costs					
<b>C. Total Expenditures</b>	24040			24040	14460
1. Total Program Disbursements					
2. Litigation Fund *	500			500	500

\*Reserves in this category are not required to be resubmitted to the IBF if not spent during the allocation calendar year.,



<b>ANNUAL TIMETABLE FOR SUBMISSION OF FORMS AND CHECKS:</b>
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January 1:	Checks distributed
July 1:	Annual report, plan and grant application due to IPBC
November:	Notification of awards
December 1:	IBF grant agreement due and revised budget due (as needed)